



General Assembly

February Session, 2022

Raised Bill No. 185

LCO No. 1694



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING COUNTERFEIT, NOVELTY AND UNSAFE LIGHTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) For the purposes of this
2 section:

3 (1) "Counterfeit lighter" means any lighter that infringes on the
4 intellectual property rights of (A) any citizen of the United States, or (B)
5 any entity that is protected by any federal or state intellectual property
6 law.

7 (2) (A) "Novelty lighter" means any lighter that is designed to
8 resemble any animal, beverage, cartoon character, food, gun, musical
9 instrument, toy, vehicle, watch or similar article, plays musical notes or
10 includes flashing lights for entertainment that may appeal to a child
11 younger than five years of age.

12 (B) "Novelty lighter" does not include (i) any lighter manufactured
13 before January 1, 1980, (ii) any lighter that cannot be fueled, (iii) any
14 lighter that does not include a device that produces combustion or a

15 flame, or (iv) any standard disposable or refillable cigarette or pocket
16 lighter that includes, or is decorated with, any artwork, decal, heat-
17 shrinkable sleeve, label or logo.

18 (3) "Lighter" means any electrical or mechanical device that (A)
19 operates using any fuel, including, but not limited to, butane and
20 isobutane, or electricity, including, but not limited to, a battery charged
21 by way of a universal serial bus cord, and (B) is typically used to light a
22 candle, a charcoal or gas grill, a cigarette, cigar, pipe or other smoking
23 article or a wood fireplace.

24 (4) "Unsafe lighter" means (A) any disposable or refillable cigarette or
25 pocket lighter that does not comply with American Society for Testing
26 and Materials Standard F400-20, as amended from time to time, and (B)
27 any grill or utility lighter that does not comply with American Society
28 for Testing and Materials Standard F2201-20, as amended from time to
29 time.

30 (b) (1) Except as provided in subdivision (2) of this subsection, no
31 person shall offer or sell any counterfeit lighter, novelty lighter or unsafe
32 lighter in this state, including, but not limited to, by way of providing a
33 free sample to a person in this state, regardless of whether such person
34 is offering or selling such lighter on a retail basis, wholesale basis, online
35 or in person.

36 (2) The provisions of this section shall not be construed to prohibit
37 (A) the interstate transportation of counterfeit lighters, novelty lighters
38 or unsafe lighters through this state, or (B) the storage of counterfeit
39 lighters, novelty lighters or unsafe lighters in any distribution center or
40 warehouse located in this state if such distribution center or warehouse
41 is closed to the public and does not distribute or sell, at retail, such
42 lighters to the public.

43 (c) The State Fire Marshal, any local fire marshal empowered to
44 enforce the State Fire Prevention Code or Fire Safety Code and any
45 person aggrieved by any violation of subsection (b) of this section may
46 bring a civil action in the superior court for the judicial district of

47 Hartford against the person who is alleged to have committed such
48 violation. The court shall award damages in an amount that is not
49 greater than ten thousand dollars per violation.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2022</i>	New section
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Statement of Purpose:

To prohibit any sale of, or offer to sell, any counterfeit, novelty or unsafe lighters in this state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]